

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PANCHAYATS – Chittoor District – Revision Petition filed by Sri B.Subba Reddy Ex-Sarpanch,Mudikuppam Gram Panchayat, S.R.Puram Mandal– Request for waving the surcharge certificates amount – Revision petition allowed - Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (Pts.IV) DEPARTMENT

G.O.Rt.No. 1452

Dated: 13 -10-2009
Read the following:-

1. From the District Panchayat Officer, Chittoor, Lr. No.4895/2002/B1/(Pts), dt. 21-1-2008.
2. Representation from Sri B. Subba Reddy, Ex-Sarpanch,Mudikuppam Gram Panchayat, S.R.Puram Mandal, Chittor District, dt.31-1-08.
3. Government Fax memo No. 5167/Pts.II/A/08- dt.6-6-2008.
4. From the District Panchayat Officer, Chittoor, Lr. No.4895/2002/B1/(Pts), dt. 21-6-2008,together with its enclosures.
5. Government memo No. 24881/Pts.IV/A1/08-1, dt.04-11-2008.
6. From the District Panchayat Officer, Chittoor, Lr. No.4895/2002/B1/(Pts), dt. 07-02-2009,together with its enclosures.
7. Government Fax memo No.24881/Pts.IV/A1/08-2 dt.14-07-2009.

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ORDER:

1) In the reference 1st read above, the District Panchayat Officer, Chittoor, has reported that 9 surcharge certificates were issued covering an amount of Rs. 1,47,850/- against Sri S. Subba Reddy, Ex-Sarpanch, Mudikuppam Gram Panchayat, S.R.Puram Mandal, Chittor District, as follows.

| SI. No. | S.C. No. and date | S.C. amount Rs |
|------------|-------------------|-------------------|
| 1 | 541/16-2-1997 | 5,296 |
| 2 | 760/06-01-1996 | 13,425 |
| 3 | 762/06-01-1996 | 43,674 |
| 4 | 407/09-11-2000 | 27,900 |
| 5 | 408/09-11-2000 | 3,990 |
| 6 | 409/09-11-2000 | 12,300 |
| 7 | 410/09-11-2000 | 32,330 |
| 8 | 411/09-11-2000 | 3,616 |
| 9 | 39/14-03-1996 | 5,319 |
| | Total | 1,47,850 |

(PTO)

2) The District Panchayat Officer, Chittoor has further reported that after giving an opportunity to the Ex. Sarpanch, the audit officials have issued surcharge certificates against the Ex. Sarpanch, as he failed to produce relevant records to the audit Department. The Ex. Sarpanch has filed a writ petition No.22099/02 in the Hon'ble High Court of Andhra Pradesh and the Hon'ble High Court in its order dt. 21-11-2002 has directed to give an opportunity to the petitioner and pass appropriate orders. Accordingly, the petitioner was given a notice to produce relevant records to the District Panchayat Officer, Chittoor within 30 days vide Roc. No.4895/2002, dt.7.2.2003. But he has not produced the records and replied that the said records were with the Group Executive Officer. Further, he has submitted that E.Ps were filed on the above surcharge certificates in the court of Principal Civil Judge Court, Puttur. The principal civil judge court, Puttur has issued arrest warrant and the same is pending. In the meanwhile, the petitioner Sri B. Subba Reddy, Ex- Sarpanch has filed CRP No. 5622/2006 against E.P.No.82/2004 CRP No.5627/2006 against E.p.No. 83/2004 and CRP No.5634/2006 against E.P.No. 85/2004. The Hon'ble High Court of Andhra Pradesh Hyderabad, in its Judgment dt. 22-06-2007, has dismissed the above CRPs granting the petitioner Sri B. Subba Reddy, Ex- Sarpanch, a four weeks time for payment of the decrial amount. In default the executing court can proceed with the execution in accordance with law.

3) In the reference 2nd read above, Sri B. Subba Reddy, Ex- Sarpanch, has submitted a representation to the Government stating that he was Sarpanch of Mudikuppam Gram Panchayat and executed several works as Sarpanch without any mistakes under the supervision of the concerned officials and maintained the accounts perfectly and after completion of his tenure he had acted as person in charge and he had handed over all the records of the Gram panchayat to the then VDO, S.R. Puram Mandal. The Village Development Officer has also given receipt for the records on 15.11.1994 for production of records for auditing and therefore requested to waive the surcharge certificates issued against him an amount of Rs. 1,47,850/-.

4) The case was posted for hearing on 03-04-2008 & 20-07-2009. The District Panchayat Officer and the petitioner have attended the hearing. During the hearing, the District Panchayat Officer, Chittoor has stated that the works were carried out by the Ex-Sarpanch and on the other hand i.e. the ex-sarpanch stated that all the records including M.Books and vouchers were handed over to the then Group Executive Officer, but they were not produced before audit.

5) Government after careful examination of the matter decided to waive the seven surcharge certificates issued against the Ex.Sarpanch amounting of Rs. 1,38,938 /- and order to recover in respect of Surcharge certificates No.541, dt.16-02-1997 and 411, dt.09-11-2000 an amounting of Rs.8,912/- from Sri S. Subba Reddy, Ex-Sarpanch, Mudikuppam Gram Panchayat, S.R.Puram Mandal, Chittoor District.

6) The Commissioner, Panchayat Raj and Rural Employment, Hyderabad is, therefore, requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C.SASTRY
PRINCIPAL SECRETARY GOVERNMENT

To,

The Commissioner, Panchayat Raj and Rural Employment,
Hyderabad.

Copy to:

The District Panchayat Officer, Chittoor.

The Director, State audit Department, Andhra Pradesh, Hyderabad.

The PS to Minister for Panchayat Raj.

The Law (A) Department.

Sri B.Subba Reddy Ex-Sarpanch,Mudikuppam Gram Panchayat,
S.R.Puram Mandal, Chittoor District.

Sf/Sc.

// forwarded :: by order //

Section Officer